

October 18, 2006

Re: "Request for Waiver"

CC Docket No. 96-45 and CC Docket No. 02-6

Frontier Public School District

Billed Entity Number 140285

Form 471 Application Number: 538398

Funding Request Number(s): 1492465, 1492469, 1492470

This letter is to request for a waiver of rules pertaining to the deadline of a USAC (E-RATE) Form 471 that was submitted "Postmarked Outside of Window" by the Osage County Interlocal Cooperative (OCIC) on behalf of Frontier Public Schools in January 2006. OCIC assists their member school districts with various services, including filing several of the OCIC member districts' E-rate applications. Frontier's Form 471 application was one of the last two to be filed electronically on January 10, 2006. The person filing these applications, Ms. Washman, experienced problems getting Frontier's and one other's Form to submit, and phoned the Schools & Libraries Division help desk. She spoke with a lady named Betty, who told her to check her firewall; it was most likely what was causing the problem. Ms. Washman explained that she had already submitted several other applications without problems. Ms. Washman documented the date and time that the call was made to the help desk. Ms. Washman then proceeded to speak with the OCIC technology specialist who informed Ms. Washman that it was not the firewall that was causing the application to fail. Ms. Washman phoned the help desk once again and spoke to a gentleman named Dillon. Dillon told Ms. Washman to submit the handwritten application by U.S. Postal Service. Ms. Washman has previous experience submitting applications successfully using the electronic method, but had never submitted using any other method. Dillon did not provide Ms. Washman with the notice that there was a different posting deadline date for submission via postal mail, and because Ms. Washman is not the formal contact person for E-rate, she did not have access to information that would have told her otherwise. Had Ms. Washman been made aware of the different dates for posting, the applications would have been sent by the postmark deadline date. Also, because the OCIC contact person, Tony Griffin, was in the process resigning his position during this same time that this filing period happened, the bulk of the responsibility was

given to Ms. Washman who had no previous training other than the clerical role of transferring the written application to the on-line Form.

After I was made the contact person for OCIC, I talked by phone to an USAC manager in July about the steps relayed by help desk representatives to get the forms submitted. I was told that Ms. Washman should have been told by either Betty or Dillon to clear the system's cache or to change computers that she was using and continue to attempt to file the application electronically. According to Ms. Washman's log of notes taken on this date, neither option was given to her to try. After the appeal to the USAC was denied, OCIC requested the phone log from the USAC that would support the fact that OCIC made every attempt to file the application electronically during the window deadline. The USAC denied that such phone logs are kept.

Again, as stated in the appeal letter to the USAC, no fraud or abuse was intended with this error on the part of OCIC or Frontier Schools. The application was completed in the office by OCIC staff that works directly with staff at Frontier School in getting the necessary information to complete the Form. It was assumed that the application was submitted on time using accurate information, and that Frontier School would receive E-rate funding. Frontier School is a rural school that will greatly miss the reimbursement dollars. I hope that the FCC understands the hardship that this will cause, at no fault of Frontier School, if this application is not approved. OCIC has a new technology specialist and a new contact person since this application was submitted. There have been several meetings and discussions on the steps that took place during prior application submissions, and procedures have been put in place to prevent this type of error in the future.

Thank you for allowing the OCIC and Frontier Schools to submit this request for your consideration. I think that the explained situation falls under the category of "extenuating circumstances," and I hope that you will allow Frontier Schools to receive their funding.

Sincerely,

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